

ARIZONA CRIMINAL JUSTICE COMMISSION

GRANT PROGRAM ANNOUNCEMENT

GERALD HARDT MEMORIAL CRIMINAL JUSTICE RECORDS IMPROVEMENT PROGRAM (CJRIP)

INTRODUCTION

The Arizona Criminal Justice Commission is publishing this notice to announce the initiation of the Arizona Criminal Justice Records Improvement Program for FY 2006. This program is designed to implement various projects identified by the state's Criminal Justice Records Improvement Plan. A criminal justice records plan has been developed and approved by the Arizona Criminal Justice Commission each year since 1994.

The goal of the Arizona Criminal Justice Records Improvement Program is to improve the quality, completeness, and accessibility of the state's criminal justice records systems, with an emphasis on criminal history information. High priority is given to agencies without automated fingerprint capabilities that need equipment to provide for an automated fingerprint capability; projects that encourage further automation; and establishing uniform, automated procedures for reporting arrest and/or disposition information to the criminal history records in the Central State Repository. Criminal justice agencies are strongly encouraged to integrate and share criminal justice records data with other criminal justice agencies in an effort to increase efficiency and improve criminal justice record data quality.

Arizona state law requires the use of criminal history records information in decisions concerning bail, offense upgrade, sentence enhancement, habitual criminal status, probation, pre-sentence reporting, correctional classification and firearms possession. Complete criminal history records are vital to all components of the criminal justice system, as well as the many non-criminal justice users that utilize the information for employment and licensing decisions.

Funding for this program originated in 1992, when Congress initiated a requirement that each state allocate at least five percent of its total Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant funds for the improvement of criminal justice records. This was a mandatory set-aside for the grant funds until federal fiscal year 2005, when Congress changed the Edward Byrne Memorial Local Law Enforcement Block grant to the Edward Byrne Memorial Justice Assistance Grant, known as JAG, and no set-aside funds were required. However, the Commission decided to continue to allocate five percent of the funds for improvement of criminal justice history records for this year.

The Commission is presently making \$297,240 in federal funds available for multiple grants to be

allocated directly to state, county, and local criminal justice agencies for projects that will achieve the goals of the Arizona Criminal Justice Records Improvement Program. A twenty-five percent (25%) local cash match will be required for all funds disbursed. The Commission anticipates making multiple grants of up to \$66,666 each (\$50,000 in federal funds, \$16,666 in agency cash match funds). Grants may be made to any criminal justice agency, including law enforcement, prosecution, probation, courts, jails, or corrections. All projects funded under this program will be for 12 months.

All applications will be created, submitted and monitored through a private, secure web site. Upon registration, log-in information will be e-mailed to you within 10 to 15 minutes. The application must be completed on this web site and submitted electronically. If applicants are having difficulties, please call our office at 602-364-1146 or e-mail us at cjrip@azcjc.gov.

PROGRAM STRATEGY

To achieve the goals of this program, grants will be made to state, county and local criminal justice agencies for improving the reporting, maintenance and use of criminal justice records. Law enforcement agencies should consider data management systems that enhance criminal justice records reporting, while providing statistical and management information for enhanced agency performance. Agencies without automated fingerprint capabilities should consider applying for equipment to provide for an automated fingerprint capability. County attorney's offices should consider case management systems that provide the courts and the Central State Repository information on the final disposition of criminal charges while providing statistical and management information for enhanced agency performance. Preference will be given to projects intended to develop or enhance procedures and/or systems designed to ensure that information on arrests and/or dispositions are included in, and accessible through, the criminal history database of the criminal history records in the Central State Repository. An emphasis on automation and complete arrest and disposition information capture and transfer is preferred. Due to funding limits, it will not be possible to totally finance large-scale computer systems. It is suggested that agencies work together to facilitate automated interfaces at the local level.

ALLOWABLE COSTS

Grants provided under this program will be one-time awards. Additional funds may not be available in future years. When requests are made to fund personnel or other ongoing, continuing activity or costs, applicants should identify future potential funding sources. Eligible expenses include equipment purchases, software development or purchase, and costs related to contractual or consulting services. Personnel costs, such as overtime, employee related expenses (ERE) or other expenses intended to clear existing backlogs of records will not be allowed unless the agency submits a feasible plan to eliminate the initial cause of the backlog.

RESTRICTIONS ON USE OF FUNDS

Grant funds cannot be used for land acquisition or construction projects.

REPORTING REQUIREMENTS

Applicants **must** submit within seven (7) calendar days from this application date, a copy of the Edward Byrne Memorial Justice Assistance Grant (JAG) application submitted by your or on behalf of your Unit of Local Government to the Bureau of Justice Assistance under the 40 percent direct local funding solicitation if you were eligible for funding.

Applicants are also required to submit quarterly financial and progress reports to the Commission and cooperate fully in any national evaluation efforts required by the federal government. A copy of the last available A-133 audit report and documents from participating agencies indicating their intent to participate in the program must be submitted to the Commission with the signed grant agreement.

Equal Employment Opportunity Plan (EEOP)

An EEOP must be developed by each DOJ grant recipient with 50 or more employees that receives an award of \$25,000 or more either directly from the Office of Justice Programs (OJP) or as a sub-grant from a state planning agency such as the Commission. Exceptions: Regardless of the amount of funding or number of employees, if the recipient agency is an educational institution, non profit organization, Indian tribe or medical institution, it is exempt and is not required to develop an EEOP. Submissions of the EEOP vary depending on the entity type, number of employees and funding level of a grantee agency.

An acceptable Equal Employment Opportunity Plan must be submitted to the Office of Justice Programs (OJP), U.S. Department of Justice, Office for Civil Rights, 810 7th Street N.W., Washington D.C. 20531 if the grantee is required to submit one pursuant to 28 CFR 42.302. An EEOP is a comprehensive document that analyzes a recipient's relevant labor market data, as well as the recipient's employment practices, to identify possible barriers to the participation of women and minorities in all levels of a recipient's workforce. Its purpose is to ensure the opportunity for full and equal participation of men and women in the workplace, regardless of race, color or national origin. The Department of Justice (DOJ) comprehensive guidelines for developing an Equal Employment Opportunity Plan can be found at 28 CFR § 42.301 et seq. The following guidelines should be used to determine what information, if any must be submitted to Office for Civil Rights (OCR).

- An agency **does not** need to return any EEOP related information to OCR if it is a non-profit organization, educational institution, Indian tribe or medical institution or is not receiving a signed grant or sub-grant award of at least \$25,000.
- An agency **must submit** a Certification to OCR if it is receiving a single award for at least \$25,000, but has less than 50 employees or has 50 or more employees and is receiving a single award for at least \$25,000, but less than \$500,000.
- An agency **must submit** a copy of its EEOP or EEOP Short Form) to OCR if it is receiving a single grant award of \$500,000 or more or an aggregate of grant awards for \$1,000,000 or more during an 18 month period and has 50 or more employees.

All grantees must forward to OCR a copy of any finding for discrimination made against their agency after a due process hearing (within the past five years) within 30 days of such finding.

For more information consult the Office for Civil Rights (OCR) web site at: www.ojp.usdoj.gov/ocr

CERTIFICATIONS

Civil Rights

All recipients of federal funds, regardless of the type of entity or the amount of money awarded, must provide assurance that they will not discriminate against any person on the grounds of race, color, religion, sex, national origin, age or disability, in any program or activity funded in whole or in part by federal financial assistance. The recipient must certify that it will comply with all applicable non-discrimination laws and regulations, and must submit this assurance with the application as a condition of federal funds (See 28 CFT 42.204). Specifically, the statute that governs OJP funded programs or activities (Section 809 (C), Omnibus Crime Control & Safe Streets Act of 1968, as amended 42 U.S.C. 3789d, (the OJP program statute), prohibits such discrimination, as follows:

No person in any state shall on the ground of race, color, religion, national origin, sex (or disability)* be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title. *Section 504 of the Rehabilitation Act of 1973 (section 504) prohibits identical discrimination on the basis of disability.

The Assistant Attorney General of OJP has delegated the enforcement of civil rights compliance of all OJP grantees to the Director, Office for Civil Rights (OCR). The director has civil rights enforcement responsibilities and determines through established policies and procedures whether any person is being excluded from participating in, denied the benefits of, subjected to discrimination under, or denied employment in connection with the program or activity receiving OJP fund on these grounds. Where such discriminatory actions are found through compliance reviews or complaint processing the recipient agency may be determined to be in noncompliance for violation of the law and of its signed assurances. If attempts to secure voluntary compliance through negotiations are not successful, the sanction of suspension or termination of funding is required by statute. Some specific forms of discrimination that prohibited are set out in the OJP program statute's implementing regulations 28 CFR 42.203 and 28 CFT 42.403 section 504. For more information consult the Office for Civil Rights (OCR) web site at www.ojp.usdoj.gov/ocr.

ALLOCATION PROCESS

Applications will be reviewed by a selection committee. Commission staff will prepare a proposed allocation plan. The proposed allocation of funds will be based on the amount requested and the following factors:

- (a) The extent to which the proposed activities help the state to meet the program goals for criminal justice records improvement plan.
- (b) Goals, objectives, and performance measures to which the proposed activities impact the accuracy, completeness, timeliness, and/or automation of criminal justice records, including arrest and/or disposition information.
- (c) The technical feasibility of the proposal and extent to which the proposal appears reasonable in light of the agency's current level of system development.

- (d) The reasonableness of the budget.
- (e) The extent to which the application reflects a constructive interface between relevant components of the local and state criminal justice systems.
- (f) Approval of the proposed activities by the Bureau of Justice Assistance.

ACJC staff will present a proposed allocation plan to the Information and Technology Committee of the Commission for review. The Committee will present a recommendation regarding the allocation plan to the Criminal Justice Commission for review and final action. The proposed allocation plan will be made available to all applicants in the meeting agendas. Funds will then be disbursed to agencies in accordance with the Commission's final approved allocation plan. Funds will be disbursed to agencies on a reimbursement basis upon submission of reports showing expenditures.

APPEAL PROCESS

Applicants may pursue a two step appeal process if their application is denied. The staff review of the applications results in a funding proposal to the appropriate Committee of the Arizona Criminal Justice Commission. If an application is not included for funding in the initial proposal, the applicant may verbally appeal to the Committee. At that point, the Committee will either accept the staff proposal and recommend the proposal to the Commission or make changes and recommend the revised proposal to the Commission. If an application is not recommended for funding by the Committee, the applicant may verbally appeal to the Commission. The Commission can approve the recommendation of the Committee, make changes to the Committee proposal, or table the proposal for further study. The vote of the Commission is the final step of the process and no further appeals will be granted.

APPLICATION PROCESS

While the Arizona Criminal Justice Commission would like to fund each worthy program, only a limited amount of money is available. In addition to new projects, the Commission will consider funding existing projects that will require further moneys to reach a successful completion.

Applications must be completed on the Arizona Criminal Justice Commission web site and submitted electronically. The web site is located at www.azcjc.gov/Grants/GMSIndex.asp. The application must be received at the Commission office no later than **3:00 p.m. on May 13, 2005**.

Questions concerning this program, or the application process, should be directed to Pat Nelson at the Arizona Criminal Justice Commission at 602-364-1146 or you may e-mail us at cjrip@azcjc.gov